



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of O'Brien et al.	) Examiner: Gollamudi S. Kishore, Ph.D.
	)
For: <b>RADIATION SENSITIVE LIPOSOMES</b>	) Group Art Unit: 1615
	)
Serial No.: 09/728,716	) Confirmation Number: 4843
	)
Filed: November 30, 2000	) Attorney Docket No. 15907-0022
	)
	) Customer No. 25213
	)

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EXPRESS MAIL NO.: EL 993 634 745 US  
DATE MAILED: June 14, 2005

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees (if any) and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 15907-0022).

Respectfully submitted,

HELLER EHRMAN LLP

Dated: June 14, 2005

By: Leslie Mooi  
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<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>			ATTY. DOCKET NO. <b>15907-0022</b>		SERIAL NO. <b>09/728,716</b>	
			APPLICANT <b>O'Brien</b>			
			FILING DATE <b>11/30/2000</b>		GROUP: <b>1615</b>	
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
<b>FOREIGN PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES   NO
						<input type="checkbox"/> <input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
	Ellens, H. <i>et al.</i> , "Membrane Fusion and Inverted Phases," <i>Biochemistry</i> , <u>28</u> : 3692-3703 (1989).					
	Lamparski, H. <i>et al.</i> , "Thermotropic Properties of Model Membranes Composed of Polymerizable Lipids. 1. Phosphatidylcholines Containing Terminal Acryloyl, Methacryloyl, and Sorbyl Groups," <i>J. Am. Chem. Soc.</i> , <u>115</u> : 8096-8102 (1993).					
EXAMINER			DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.